

ASSEMBLY BILL

No. 2119

Introduced by Assembly Member Stone

February 20, 2014

An act to amend Sections 7285 and 7285.5 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2119, as introduced, Stone. Local taxes: transactions and use taxes.

Existing law authorizes the board of supervisors of a county to levy, increase, or extend a transactions and use tax, as specified, if approved by the required vote of the board and the required vote of the qualified voters.

This bill would authorize the board of supervisors of a county to levy, increase, or extend a transactions and use tax throughout the entire county or within the unincorporated area of the county, if approved by the qualified voters of the entire county or the unincorporated area of the county, as applicable. This bill would require the revenues derived from the imposition of this tax to only be used within the area for which the tax was approved by the qualified voters.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7285 of the Revenue and Taxation Code
2 is amended to read:

1 7285. The board of supervisors of any county may levy,
2 increase, or extend a transactions and use tax *throughout the entire*
3 *county or within the unincorporated area of the county* for general
4 purposes at a rate of 0.125 percent or a multiple thereof, if the
5 ordinance proposing that tax is approved by a two-thirds vote of
6 all members of the board of supervisors and the tax is approved
7 by a majority vote of the qualified voters of the *entire county or*
8 *the unincorporated area of the county, as applicable*, voting in an
9 election on the issue. The board of supervisors may levy, increase,
10 or extend more than one transaction and use tax under this section,
11 if the adoption of each tax is in the manner prescribed in this
12 section. The transactions and use tax shall conform to Part 1.6
13 (commencing with Section 7251). *The revenues derived from the*
14 *imposition of a tax pursuant to this section shall only be used for*
15 *general purposes within the area for which the tax was approved*
16 *by the qualified voters.*

17 SEC. 2. Section 7285.5 of the Revenue and Taxation Code is
18 amended to read:

19 7285.5. (a) As an alternative to the procedure set forth in
20 Section 7285, the board of supervisors of any county may levy,
21 increase, or extend a transactions and use tax *throughout out the*
22 *entire county or within the unincorporated area of the county, as*
23 *applicable*, for specific purposes. The tax may be levied, increased,
24 or extended at a rate of 0.125 percent, or a multiple thereof, for
25 the purpose for which it is established, if all of the following
26 requirements are met:

27 (1) The ordinance proposing that tax is approved by a two-thirds
28 vote of all members of the board of supervisors and is subsequently
29 approved by a two-thirds vote of the qualified voters of the *entire*
30 *county or the unincorporated area of the county, as applicable*,
31 voting in an election on the issue.

32 (2) The transactions and use tax conforms to the Transactions
33 and Use Tax Law Part 1.6 (commencing with Section 7251).

34 (3) The ordinance includes an expenditure plan describing the
35 specific projects for which the revenues from the tax may be
36 expended.

37 (b) A county shall be deemed to be an authority for purposes
38 of Chapter 1 (commencing with Section 55800) of Part 3 of
39 Division 2 of Title 5 of the Government Code.

1 (c) *The revenues derived from the imposition of a tax pursuant*
2 *to this section shall only be used for specific purposes within the*
3 *area for which the tax was approved by the qualified voters*

O